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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTHA ARZU, : NOTICE OF MOTION
 : FOR ATTORNEYS FEES
 Plaintiff, : PURSUANT TO
 : 28 U.S.C. § 2412
 :
 -against- : 19 Civ. 6451(VSB)(BCM)
 :
 KILOLO KIJAKAZI,¹ :
 ACTING COMMISSIONER :
 of the Social Security Administration, :
 :
 Defendant. :
-----X

PLEASE TAKE NOTICE that upon the accompanying Declaration of Christopher James Bowes, dated August 11, 2021, plaintiff will move this Court before the Honorable Barbara C. Moses, United States Magistrate Judge presiding, at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007, on submission, for an order:

(1) Accepting plaintiff's application for reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), as timely filed; and

¹ Pursuant to Fed. R. Civ. P. § 25(d)(1), the new Acting Commissioner of Social Security Administration is automatically substituted as the defendant in this case. See <https://www.ssa.gov/agency/commissioner/>.

(2) Granting plaintiff leave to defer filing a memorandum of law in support of her application for fees for a period of 60 days to permit the parties an opportunity to reach settlement of the fee issue; and

(3) for such other and further relief as this Court may deem just and proper.

Dated: Shoreham, New York
August 11, 2021

Respectfully submitted,

/s/CHRISTOPHER JAMES BOWES, ESQ.

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Attorney for Plaintiff

To: United States Attorney for the
Southern District of New York
BY: Oona Peterson, Esq.
Special Assistant U.S. Attorney
26 Federal Plaza, Room 3904
New York, New York 10278
Attorneys for Defendant

I am in receipt of Plaintiff's notice of motion for attorney's fees and the declarations of Christopher James Bowes in support of that motion. (Docs. 28-30.) I will accept Plaintiff's application for reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d), as timely filed. Additionally, Plaintiff is granted to leave to defer filing a memorandum of law in support of the application for fees for a period of 60 days to permit the parties an opportunity to reach settlement of the fee issue.

SO ORDERED:



HON. VERNON S. BRODERICK 8/13/2021
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that today, August 11, 2021 I served the foregoing Notice of Motion for Equal Access to justice Act Attorney Fees and Costs upon counsel for the defendant using the CM/ECF electronic filing system and causing a copy to be delivered, electronically, to

Oona Peterson, Esq.
Special Assistant U.S. Attorney
26 Federal Plaza, Room 3904
New York, New York 10278

/s/CHRISTOPHER JAMES BOWES, ESQ.
Christopher J. Bowes
Attorney